

**IN THE CIRCUIT COURT FOR
BALTIMORE COUNTY, MARYLAND**

DEBORAH GIGOGNE
2110 Lansdowne Road
Halethorpe, Maryland 21227

Plaintiff,

vs.

WALMART, INC.
701 South Walton Boulevard
Bentonville, Arkansas 72716

SERVE ON:

The Corporation Trust Incorporated
2405 York Road
Suite 201
Lutherville Timonium, Maryland 21093

Defendant.

Case No. C-03-CV-21-002694

COMPLAINT

Plaintiff, Deborah Gigogne, by undersigned counsel, hereby files this Complaint against WalMart, Inc., Defendant herein, and alleges as follows:

I. JURISDICTION AND VENUE

1. Plaintiff invokes the jurisdiction of this Court pursuant to Md. Code Ann., Cts. and Jud. Proc. Article, § 6-101 et seq.

2. Venue is proper in this Court pursuant to Md. Code Ann., Cts. & Jud. Proc. Article, §§ 6-201 and 6-202.

3. The amount in controversy herein exceeds the sum of \$75,000.00 exclusive of interest and costs.

II. PARTIES

4. Deborah Gigonge ("Gigogne") is a citizen of the State of Maryland with a residence in Baltimore County at 2110 Lansdowne Road, Halethorpe, Maryland 21227.

5. WalMart, Inc. ("WalMart Stores") is a Delaware based Corporation with its principal place of business located at 701 South Walton Boulevard, Bentonville, Arkansas 72716. Upon information and belief, WalMart Stores, Inc. operates many retail stores throughout Maryland, one of which is located at 3601 Washington Boulevard, Baltimore, Maryland 21227.

III. FACTS

6. On or about January 31, 2021, Gigogne was an invitee at the Walmart Superstore located at 3601 Washington Boulevard, Baltimore, Maryland 21227 ("Premises"). As Gigogne was walking in the store, she slipped on produce that had accumulated on the floor causing her to fall to the ground and sustain profound and painful injuries to her wrist, arm, back, and body. As a result of the injuries sustained, Gigogne was forced to incur substantial medical bills. As of the date of the filing of this Complaint, Gigogne is still experiencing periodic pain and discomfort as result of the injuries she sustained as a result

of her fall on January 31, 2021 and may be in need of future medical care.

7. At all times prior to her fall, Gigogne maintained a proper and vigilant outlook as she walked through the Wal-Mart store and her actions in no way contributed to her fall. To the contrary, Gigogne's injuries were solely the result of the unreasonable acts and omissions of Defendant, WalMart Stores.

8. Prior to this accident, WalMart Stores knew or should have known that (1) produce had accumulated on the floor of the store where Gigogne fell; and (2) no adequate warnings were posted to alert patrons, like Gigogne, of the dangerous condition located on the floor of the Premises. Notwithstanding said knowledge and notice, WalMart Stores failed to take reasonable actions to prevent and/or cure the hazardous conditions which it knew or should have known could result in injuries to their customers.

COUNT I
(Negligence)

9. Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1-8.

10. Walmart Stores, at all times material to this Complaint, was in the sole possession, custody and control of the property known as 3601 Washington Boulevard, Baltimore, Maryland 21227. As such, Walmart Stores owed a duty to Gigogne,

and all invitees who were lawfully on the premises, to properly maintain the walkways on the Premises free from dangerous accumulation of produce which could cause injury. Walmart Stores also had a duty to warn Gigogne, and all other patrons lawfully entering onto the property, of any defects, dangers or other hazardous conditions which existed on the property.

11. On or about January 31, 2021, Walmart Stores breached the duties of care it owed to Gigogne by failing to (1) take reasonable actions to ensure that the floors on the Premises were free from the dangerous accumulation of produce; and (2) warn Gigogne, and other patrons lawfully on the Premises, of the aforementioned dangerous conditions of which it knew or should have known existed as of the time of Gigogne's fall.

12. As a result of Walmart Stores' breaches of the duties of care owed to Gigogne, Gigogne sustained substantial damages.

WHEREFORE, Plaintiff, Deborah Gigogne, prays that the Court enter judgment in her favor and against Defendant, Walmart Stores, Inc., for compensatory damages in the amount exceeding \$75,000.00, with the exact amount to be determined at trial, plus pre-judgment interest, costs, and such other and further relief as justice may require.

Respectfully submitted,



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